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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,826	04/06/2006	Gerard Marx	2488.014	8215
23405	7590	05/01/2009	EXAMINER	
HESLIN ROTHENBERG FARLEY & MESITI PC			AUDET, MAURY A	
5 COLUMBIA CIRCLE			ART UNIT	PAPER NUMBER
ALBANY, NY 12203			1654	
MAIL DATE		DELIVERY MODE		
05/01/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/533,826	MARX ET AL.	
	<b>Examiner</b> MAURY AUDET	<b>Art Unit</b> 1654	

**All Participants:** \_\_\_\_\_ **Status of Application:** \_\_\_\_\_

(1) MAURY AUDET, Examiner. (3) \_\_\_\_\_.

(2) Kathy Kias, Applicant's Representative. (4) \_\_\_\_\_.

**Date of Interview:** 27 April 2009 **Time:** \_\_\_\_\_

**Type of Interview:**

Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant  Applicant's representative)

**Exhibit Shown or Demonstrated:**  Yes  No

If Yes, provide a brief description: \_\_\_\_\_.

**Part I.**

Rejection(s) discussed:

*Double Patenting*

Claims discussed:

*All*

Prior art documents discussed:

*Double Patenting Art*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*See Continuation Sheet*

**Part III.**

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Maury Audet/  
Examiner, Art Unit 1654

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner telephoned Applicant's representative to indicate the only outstanding issue is the filing of a Terminal Disclaimer over at least the '620 patent. And to inquire if Applicant was interested in filing a Terminal Disclaimer over the '620 or any other patent claims that have issued from this family over products consisting of SEQ ID NO: 1. Applicant's representative thanked the Examiner but asked the present Office Action be sent in writing for consideration.